

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. CR 14-306M
)	
MICHAEL BILLINGS,)	
)	
Defendant.)	

MOTION TO CONTINUE SENTENCING WITH
BRIEF IN SUPPORT

Defendant Michael Billings moves this Court to continue the sentencing in this case from its currently scheduled date of May 6, 2016 at 1:30pm to a date certain the week of May 23, 2016 or to a later date convenient to the Court. In support of this motion, Defendant would show the Court the following.

STATEMENT OF THE CASE

A three count indictment was returned and filed in this case on October 22, 2014. This indictment charged Defendant with violations of Title 18 USC Sections 1594, Conspiracy to Commit Sex Trafficking of Children, 2423(e), Conspiracy to Travel with Intent to Engage in Illicit Sexual Conduct, and 2423(e), Conspiracy to Engage in Illicit Sexual Conduct in Foreign Places.

Defendant pled guilty to a one count Information charging a violation of

Title 18 USC Section 2423(c), Engaging in Illicit Sexual Conduct in Foreign Places, on November 12, 2015 and was taken into the custody of the U.S. Marshal. Defendant remains in custody at this time.

A presentence investigation report (PSR) interview was conducted and a final PSR was provided to this Court on March 30, 2016 (Doc. No. 58)

BRIEF IN SUPPORT

There have been no previous motions for continuance of this sentencing requested or granted. As previously noted, Defendant is in custody. Mr. Billings has been consulted regarding this request and does not object.

On April 6, 2016 this Court entered an order setting this case for sentencing on May 6, 2016. (Doc. No. 59) Since that time, counsel for Mr. Billings has been in two juvenile termination of parental rights jury trials in Oklahoma County. These cases were JD 14-52 the week of April 4, 2016 and JD 15-94 the week of April 18, 2016. These cases have prevented counsel from fully being able to prepare for this sentencing. As it now stands, it is anticipated this will be a contested sentencing which will require witnesses for both the government and Mr. Billings and will require adequate time to effectively prepare.

A continuance until the week of May 23, 2016 or later should allow adequate time for counsel to prepare witnesses, review discovery, and meet with Mr. Billings.

Counsel for the government has no objections to this continuance and would join in this motion.

CONCLUSION

Defendant moves this Court to continue the sentencing in this case from May 6, 2016 to the week of May 23, 2016 or to a later date convenient to this Court.

S/ Daniel L. White
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Certificate of Service

I certify that on April 26, 2016, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the ECF registrants in this case.

S/ Daniel L. White
Attorney for Defendant Billings